

T. V. R. V. R.

App F IX 4

1933.

File No 86-23

Serial Nos 1-3

Previous References
ml 103-31 475

Later References
ml 51 43 (6, 7)
ml 41-46 (68, 69)

CENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for September 33

SUBJECT

*Rules for regulating the election of members
to Municipal Councils in the Town Municipalities*

*To - The Compiler, M. G.
Notified no 1184 of 11/8/33*

Issues — — — — —

*100
2/10/33*

438

regulating the

revision of the rules ~~regulation~~ of
municipal corporations in municipalities
in the state

Existing rules were provided by
not resolution of 6431/1 17-26-2 dated
the 15th March 1927 as ^{amended} from time
the provision ^{made} in the ~~new~~ ^{new} Municipalities
Regulation which will come into force
from the 1st August 1933 requires the rules
to be revised in conformity ^{with the}

the reduction of the period of
currency of the rules list of the
amendment of the qualification of
votes in the Regulation, providing
a report by candidates for election etc.

Provisions. This opportunity has been
taken to revise the rules also in respect
of certain other matters ^{also} and a draft is
submitted for consideration

2 The chief modifications ~~in~~ suggest
below are
for consideration and orders -

rule 2 - In this rule ^{the} ~~will~~ power is
given to the Deputy Commissioners to divide
the municipalities into divisions and fix
the seats for each division and vary the
same in accordance with such instructions
as may be issued by Government from time to

to it should

Rule 7 - The regulation of the rules of voters ^{is} ~~is~~ an ^{is} ~~is~~ usually ^{is} ~~is~~ filled with, as it will generally be in force for 2 years under Section 11 of the ^{is} ~~is~~ regulation.

Rules 8 and 10 - As regards voters and candidates, the provisions of Section 12 and 21 of the Regulation of 1906 which were omitted in the new Regulation have been incorporated ^{and provision made for amendment of election roll, as laid in Sec 11 of (D) H.C.}

Rules 11 and 12 have been suitably modified in accordance with the foregoing provisions re- voters, time and place of election.

²¹⁴
Rule 17 - The existing rule ^{is} ~~is~~ requires that persons standing at municipal election should be nominated by two persons entitled to vote. In the District Board election rules and in the Representative Assembly and Legislative Council rules, no such provisions exist. The candidate puts in an application to the Returning Officer.

officer In order that the rules re-
 candidature and the provision~~s~~ for deposit
 by candidates and their forfeiture may be
 uniform, The provision in the ^{existing} town municipi-
 al election rules for nomination of candi-
 dates has been omitted and the candidates
 are required to put in applications to the
 Return Officer intimating that they wish
 to stand for election Provision has been
 made for requiring deposits from candidate

and for their refund and forfeiture.

At the meeting of the special Committee, I've decided that a deposit of Rs 250 would be sufficient for candidates in the rule now framed. It is based at Rs 250 & this is for approval

Rule 19 - Provision is made to give

facilities to those forurdah women for
 voting

vide 26 of X
rules 15 & 16 relating to the preparation of list of eligible Candidates & assignment of symbols are based on those of the previous form in the District Board election Rules

re crossing of names of candidates
Rule 27 - Provision is made similar to

that found in the District Board election
 rules

246
Rule 25 - It is not necessary to

recognise any agents ~~for~~ of candidates and
 allow them to enter the ante-room of the
 Polling booth.

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4

Rule 27 - The existing rule provides for the polling officer permitting the voter to take an attendant into the polling booth for recording his vote, if he is through blindness, illiteracy or any other cause incapable of recording his votes for himself. In the case of District Board and Representative Assembly and Legislative Council elections, the polling officer is required to assist the voter in such circumstances in marking the vote on the voting paper and having the voting paper folded and put into the ballot box. The existing procedure in the municipal rules has been made identical with that in the case of the District Board and Representative Assembly elections.

~~_____~~
~~_____~~
~~_____~~

3. The changes made in the other rules are all of a minor character.
Subd. for order.

of 1933-34

Serial
No

25 JULY 1933

No

The Draft rules are sent for consideration

(see Secy)

24/7

6 The Attorney General also
knows

Asst Secy (Law Secy)
unscamp

27/7 AM 27/7

-7-

The remarks made in respect of
Rule 7 A and B of the Rules under
the City Mts Reg apply mutatis mutandis
to rule 5 A and B in this file. This rule
may be modified in the lines indicated
therein and a new rule regarding disqualifications
of voters has to be made.

8 The rules in other respects are legally
all right and may be approved

Asst Secy Dsg }
with Compl }

mp
7 & 3)

Please extract the notes
of the Asst Secy Law
referred to & indicate the
changes suggested by him
against the rules concerned

42

Law

9 Extract from the opinion of the Assistant Secretary
Law Section, dated the 4th August 1933 in the file re-
lating to the rules for election of municipal council-
lors in City Municipalities

*** O ***

X X X X X X X X

Rule 7 (*) prescribing the qualifications of a
voter in the general constituency, follows that pres-
cribed in Section 12 (c) of the old regulation. But

corresponds to
rule 5 (A) of the
Town Municipalities
Electoral Rules

NOTE—Contn Sheet

But in stead of a assessment to taxes other than octroi and toll being made the criterion, the new rules make the liability primarily to pay such taxes as the test

I think it is better to make the fact of actual assessment the test than mere liability to pay

Just as octroi and toll are excepted from the category of taxes for this purpose, fees levied under Section 82 may also be excluded. A tax as defined includes a fee also, and the intention does not appear to be to give the franchise who pay only taxes in the shape of fees under section 82

Rule 7 B - The language here also may preferably follow that of section 12 of the old regulation. As drafted the rule is likely to give rise to difficulties, since there is no indication as to how the six months period is to be computed and also the fact of "continuous residence" is many times not an easy one to determine. The rule may be put as follows -

'Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident in the municipality and'

Rule 7 B (c) - Six months residence is prescribed to qualify all the clauses of rule 7 B. There is therefore no need to prescribe this period again in this clause relating to occupation of houses. The corrections made in the first portion of this clause may be omitted and the rule as typed may be approved.

7 B (1) - The words "in the municipality" between 'company' and 'registered' may be omitted. It is not necessary that the company or corporation

General and Revenue
Secretariat

Municipalities Election Rules
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No

corporation ~~is to~~ be in the municipality. A servant of a foreign corporation drawing a salary of Rs 50/- or above and residing in the municipality may be a voter

The new Regulation, unlike that of 1906, does not prescribe any disqualification for being a voter. This has therefore to be done by rules otherwise even a criminal or a lunatic if he has the qualifications under rule 7, can claim to be a voter. A new rule, on the lines of section 10 of the District Board Regulation with necessary modifications may be introduced and rules 7 and 8 must be made subject to that rule

X X X X X

into NRG 48.

10 The rules in the file have been modified in accordance with the suggestions made above & submitted for rules -

11 Reference, Para 6

7/8/33 12 The rules came into force after one month from the date of their publication in the Gazette, vide No 204 (4) of the Regn. So, they have to be used from, so as to enable N.C. whose term expires on 31st Dec 1933 to take action in time for preparation of voter lists and holding election

8/8

GENERAL SECRETARY
8 AUG 1933
No

S. M. M. I. C. H.
9 AUG 1933
No 5766

NOTE—Contn Sheet

13 *Subject*

14 *Subject* above 9/8
the rules are *the rules*
are *the rules*
are *the rules*

I consulted the Adv Secy, Law Secy,
on the point at A on the last page. It is agreed that
there is no disqualification for votes laid down
in the old Regulation, beyond what is contained
in Sec 21, one age limit. So, Rule 6 & the addition
made in Rule 5 will be omitted.

16 As the matter is long, it ~~is~~ is desirable
to examine the proof before printing. The matter
will therefore be put set in type & the Rules
issued in print after examining the proof ^{and verifying} the
press will be asked to get the work done expeditiously
send proof on Monday next, so that the Rules may
be published in the next week's gazette.

Secy Secy)

11/8

~~4/11/8~~

~~4/11/8~~

9 shown in Rule 16 (2) - may ?
think be changed to "may"
The old rule does not make
symbols obligatory

11/11/8

11/8

20/11/8

11/8

Please draft
complete

5/11/8/2

20/11/8
Draft of final sub for signature

Town Municipal Council Election Rules

General and Revenue
Secretariat

File No. 86 of 1933-34 [App F III-]

Serial
No

To The Compiler, Mysore Gazette
no L 1184 of 11-8-33
Notifies the rules relating to the
election of members to Town Municipal
Council

Do letter no 1185 of 11-8-33 to the
Compiler Mysore Gazette, requesting that
the rules may be set in type & clean
proofs forwarded early

Proofs received have been duly
corrected and submitted for perusal
of approval - Refce paras 1 & 2

For perusal of the proof before in
14/8/33

(Secretary)

14/8

4 Number 25/8/33
15/8/33

26/8/33

15/8

15/8

Issue

Proof returned to the Press with print order

15/8/33

Issued Gazette no L 1403 of 28

14/11

15 AUG 1933
No 756

1123

L

File No

86

of 1933-34

General and Revenue
Secretariat

From

The D.C. Kolar District

No. DS- C 325/33-34 dated 30.8.33

Points out that there is some conflict between rule (11) (2) & 14 (5) of the new Tamil Nadu Election Rules as compared with rule 12 (3) of the old rules and requests orders of Govt.

Subs with copies of the old & new Tamil Nadu Election Rules

It is true that the wording of rule 11 (2) is that one & the same person may be a candidate for any number of divisions but the wording of the rule is not clear especially when it has to be read with rule 14 (5). Rule 11 (2) lays down that a qualified person may stand for election either in the division for which his name is entered in the election roll or in any other division, which means that he can stand for election only in two divisions if he so desires. But according to rule 14 (5), the person can stand for election in any number of divisions & if he has stood for election in more than two divisions then the person is liable to be rejected. With a view to make the rule 11 (2) clear, the old rule 12 (3) is

Serial
No

perhaps be modified as follows -
When elections are held at or
about the same time in two or more
divisions, ~~at the same time~~ the same person may
stand for election in all or any
of the divisions into which the municipality
may be ~~not~~ divided.

Rule 11 (2) may be modified as follows -
"Any person who is qualified to be
a candidate may stand for election
~~either in the division for which his name~~
~~is entered in the election roll~~ and also in
~~or any other division or divisions into which~~
~~the municipality is divided."~~

32 The law section may perhaps be
consulted as to which of the alternatives
may be adopted

for
4933 AY

If the rule in question, viz Rule 11(2)
is considered to require alteration, the
second of the alternatives suggested above
may be adopted

The law section may be consulted

Pen'dey
Law Secn
and Camps
4933
49

GENERAL SECRETARY
4 SEP 1933

11/2

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General and Revenue
Secretariat

Rule 11(2) enables a person qualified to be a candidate to stand for election either in the division for which his name is entered in the election or for any other division. It does not prohibit him to stand for election in more than one division at the same time. The rule is an enabling one and not a disabling provision.

That a candidate can stand for election in more than one division is implied in rule 14(5) and rule 31 and there is no need to have an express rule on this point. In this view there is no inconsistency between rule 11(2) & rule 14(5) or 31, and no amendment is necessary.

Gen Secy)

my

5/9/33

Agree.

4/1/34

14/1/34

6/9

The DC may be

10/1/34
6/9

impd act

5/10/34

6/9

14/1/34
6/9

Secy for

my
7/9/33

14/1/34
6/9



Serial
No

Subd into a draft letter to the
D.C. Kolar Distt for approval
accordingly

GENERAL SECRETARY
7 SEP 1933

7/9/33 PV

For perusal before me

(Secy)

7/9

ltm

2-9

Reve

3 To the D.C. Kolar Distt
no 21848 dated 9/9/33
states, for reply sl 2, that for
reasons given, no amendment
rule 11 (2) of the Election rules is
necessary

20 me Secy of other Distts
no 21849-55 dated 9/9/33
for information copy yrsl 3
for information

✓
B
11/9/33

of 193

General and Revenue
Secretariat

6632
33

Please send copy (see stamp)
immediately. This must
be published in the same
4/11/83

L 1184

ML 86-337 2/11/83

Town Municipal Election Rules

Notification

In supersession of the rules in force on the subject and in exercise of the powers vested in them by and under the provisions of sections 10, 11, 20(2)(b) and 206 of the Mysore Town Municipalities Regulation 1933, and all other powers in this behalf the following rules for regulating the election of members to municipal councils of town municipalities are made by the Government -

1. In these rules,

(1) 'the Deputy Commissioner' means the Deputy Commissioner of the District in which the municipality in question is situated include an Assistant Commissioner to whom the Deputy Commissioner may delegate, and is hereby empowered to delegate, any of his powers or duties under these rules

(2) 'The Regulation' means the Mysore Town Municipalities Regulation, 1933

(3) 'Returning officer' means, in respect of the municipality or municipalities or

entered in the first column of the table
 given below the person mentioned in the
 second column of the said table -

Table

<u>Municipality</u>	<u>Returning officer</u>
Town Municipalities having a Chief Officer	Chief Officer of the municipality
Town municipalities not having a chief officer, but having an official president	The president of the municipal council concerned
Every other town munici- pality	A person appointed by the Deputy Commissioner of District

Divisions and elective councillors

2 (1) The Deputy Commissioner in the

case of a town municipal council and the

undivided municipalities other than may, in

accordance with such instructions, if any,

as may be issued from time to time by the

Government in this behalf, divide the

municipality for electoral purposes into a

many divisions as may be necessary, the

boundaries of which shall be clearly defined

and when such a division has been made, he

shall fix the number of councillors to be

side rule 2
 rules proposed for revision

The previous approval of
 Govt required under the
 existing rules seems to be
 unnecessary. General instructions
 for regulating the Division may be
 issued by Govt, in accordance with
 which the D.C. can divide
 the no. of Councillors for each

Jagdish
 H.M. 10/10/00

be elected in each division so that every
division shall be adequately represented
by electors

(2) The divisions into which the ^{territories} ~~territories~~
territories are at present divided for
electoral purposes and the number of
elective councillors at present apportioned
over the several divisions therein shall be
deemed to have been fixed and apportioned
under sub-rule (1)

(3) For the purpose of preparing a list
to be presented by the Government, a list
from time to time the number and boundaries
of the divisions and any alteration of
councillors to be elected by the division

List of Voters

3 (1) The returning officer shall, not
less than ^{three} ~~one~~ month prior to the election
at which the term of office of the principal
councillors will expire, prepare a new list
of voters

(2) It is hereby declared that
for the purpose of the list of voters,
the names of persons who are

Rule 3 of
the Act

⑤ The period of 4 months
seems too long and may be
reduced to 3 months as in the
D.P.D. Election Rules No. 8)

6/24
1 agree

to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy there-

(a) in Kannada and

(b) if the returning officer so directs *in English also,*

~~in English also,~~ at the municipal office
in the taluk office, if any within municipal
limits, and in such other conspicuous places
in the municipality as the said officer may
consider suitable

(2) After the list has been published
the returning officer shall be bound to post
and printed hand-bills give public notice
thereof and of the places where the list or
a copy thereof may be inspected as also of
the fact that any person entitled under
rule 7 ^{to} prefer an objection or claim may
apply in writing to the returning officer
for the amendment of the list

(3) A copy of the hand-bill shall also
be published both in Kannada and in English

64

in the Mysore Gazette, and copies thereof shall be affixed in the municipal office and in the office of the mildar or the Deputy mildar of the Taluk within which the municipality is situated

Qualification of voters

The following persons

~~who have completed~~ ^{who have completed} 21 years of ~~age~~ ^{age} ~~shall be qualified to have~~ ^{shall be qualified to have} their names entered in the list of voters

or in the electoral roll, namely

(A) Every person who, for the preceding year was also assessed to municipal tax, other than octroi and to ~~the~~ ^{the} municipality amounting to ~~rupees~~ ^{rupees} ~~or more~~ ^{or more} a year or more

(B) Every person who, for a period of not less than ~~three~~ ^{three} months ~~immediately preceding the date~~ ^{immediately preceding the date} by these rules a list of voters is to be prepared or revised, has ~~been~~ ^{been} assessed in the previous income-tax, or

① ~~who have completed~~ ^{who have completed} 21 years of ~~age~~ ^{age} ~~shall be qualified to have~~ ^{shall be qualified to have} their names entered in the list of voters

who have completed 21 years of age

This is added as per opinion of the law department. The section may be ret'd

(Alternative) as suggested by the law department (vide his note) Every person who, for a period of not less than three months next preceding the date by these rules a list of voters is to be prepared or revised, has been assessed in the previous income-tax, or

(b) who is a registered holder of lands
a leased (or in the case of alienated lands
would be assessed if not alienated) to land
revenue ^{- of} an amount not less than ~~three~~ ^{two}
rupees and eight annas
~~in~~ in the municipality or

Who has for a period of not
~~less than six months~~
less than six months before
~~the date of publication of the~~

(1) a house or building

(11) part of a house or building ~~which~~

which is separately assessed to a tax of two rupees
a year on rope or

(d) who is in receipt of a per for of not less than Rs 15/- per annum from Government or from any public body or corporation or company registered under the Companies Regulation or

(e) who is an official in hereditary
title or rank or

(f) who is a relative of any tri 't

or

[Handwritten notes:]

Died at
...
c 1/3 mths.
for 207/100

6

Manner of voting in particular cases

(A)

rule 5 7 (1) When any qualification prescribed by clause (b) of ~~Section 12 of the Regulation~~ is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall ~~not be disqualified by Section 12 of the Regulation on account of not~~ be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the Municipal Council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two or more of the tests of qualifications prescribed by ~~Rule 5 of Section 12 of the Regulation~~

Division in which vote may be given

Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to Municipal taxes in the division in which he is assessed

Provided that

(a) No person shall be entitled to vote in more than one division

(b) Any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the

Municipal Council shall determine

- 4 ✓
- (c) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

(1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the Municipal Council

(3) The said officer may also bring to the notice of the Municipal Council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary other wise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under subrule (3) shall be given by the Municipal Council receiving the same to any person affected thereby and the Municipal Council at its next meeting shall consider and pass orders on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made, and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government or the Chief Executive Officer of the City Municipality and to the Deputy Commissioner in the case of Town Municipalities from the decision of a Municipal Council but the Government or the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant. Every order passed by the Government or the Deputy Commissioner under this rule shall be final

Publication and custody of election roll

(1) The list of voters shall be amended in accordance with the decision of the Municipal Council the Deputy Commissioner or the Government as the case may be and a copy thereof signed by the Returning Officer shall be the Municipal Election Roll

(2) The Municipal Election Roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such Election Roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the Municipal Council. The said book shall be kept in the Municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Power of Municipal Council

14. The Municipal Council shall have the powers and authority for the purposes under clause 11 of Section 11 of the Regulations.

Qualification of candidates

12 Subject to the provisions of section 11 and to the disqualification mentioned in section 12 and sub-sections (3) and (4) of section 20 of the Constitution, every person who is qualified to be a voter under rule 1 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place for election

13 All municipal elections - whether general or special - shall be held on such date between such hours and at such place or places as may be fixed by the returning officer on written notice of such election shall be given and published in the Gazette and if the said officer so directs in special elections not less than one month before the date fixed for the election

7 This period may be increased to one month or even 6 weeks as in the D.P.S. Election Rules (see Rule 15 of these rules) One month might be all right

[Handwritten signature and scribbles]

12

14 ~~14~~ *Deposits by candidates*

(1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of ~~Rs 50~~ *Twenty five* in cash and forward the Treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank deposits or State Loan Bonds of equal value at the market rate of the day may also be accepted from candidates standing for election to the ~~District Board~~ *shall, if tendered* in lieu of cash deposit of ~~Rs 50~~ *50/-* provided that Form No 1 of Annexure E of the Savings Bank rules (printed as ~~annexure to the Notification~~ *affidavit*) is signed by them authorising the Deputy Commissioner to treat the same as deposit in the former case and the bonds are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Deputy Commissioner before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal *Return of Prof*

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented or if his name is rejected by the Deputy Commissioner the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled or if a candidate withdraws his candidature after the time specified in sub rule 3 the deposit shall be forfeited and credited to the ~~District Board~~ *municipal fund*

Explanation — For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of ballot papers other than spoilt ballot papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf

or to ~~their~~ *his* legal representative as the case may be as soon as may be after the publication of the result of the election in the Gazette provided that if a candidate has stood for election in more than two ~~constituencies~~ *constituencies* not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the ~~District Board~~ *municipal fund*

7 B & Rule 18

12

16

* ~~16~~ (1) Preparation of list of eligible candidates —† The ~~Deputy Commissioner~~ shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in his office with a notice that objections if any to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice. He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names. If any name is rejected the reason for such rejection shall be recorded. A list of such candidates shall be posted up with the symbols if any assigned under sub rule (2) under his signature in his office. ~~A copy of the list shall also be published in the Mysore Gazette by the Deputy Commissioner.~~

Returning Officer

if any,

The municipal

(2) Assigning symbols to candidates —When the number of eligible candidates is more than the number of members to be elected the ~~Deputy Commissioner~~ shall assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

Returning Officer

may

(3) Publication of list of eligible candidates, etc —A list of eligible candidates with the symbols if any assigned under sub-rule (2) shall be published with the least practicable delay under the signature of the ~~Deputy Commissioner in his office and a copy of the same shall be published in the Mysore Gazette~~

Returning Officer in the municipal office

17

~~17~~ Display of list of candidates —On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling station for the information of the voters

12

14

Conduct of Elections

- 18 When the number of candidates ~~nominated~~ does not exceed the number of vacancies the ~~nominated~~ candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of Rule 20 of these rules such candidates shall be considered to have got the highest number of votes
- 19 If more candidates than there are vacancies ~~have been~~ ~~validly nominated~~ votes shall be taken in accordance with the procedure prescribed in the following rules

LC 17 c rule 33

9

20

The returning officer shall fix a

polling station for each division and at

each polling booth ~~and~~ a separate ballot

box properly screened off from others shall

be kept so that married women may vote

separately

In the P.A. & D.D. Polling Rules
 one has been made for having
 Polling Station for every 200
 has with four Polling boxes so as to
 handle the elect voting this for
 'as if this rule may be adopted
 here
 this rule may be adopted
 here

21

The Returning Officer shall appoint one or more Polling officers to preside at each polling station with as many assistants as he thinks necessary. The said officer shall also appoint one or more identifying officers at each polling station to assist the Polling officer in identifying the voters

22

(1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an Election Roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the Election Roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

23

(1) The voting paper shall be printed in form B hereto appended and shall contain the names of all the candidates

24

* Omission of names of candidates—If before the poll has commenced a person whose candidature has been published under sub-rule (3) of the Rule 10 withdraws his candidature or dies or if the Deputy Commissioner is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Deputy Commissioner shall remove the name of such candidate from the ballot paper

Returning Officer

Returning Officer

25

Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

14

6- (1) On the day of the election the Polling Officer shall admit to the ante room of the polling booth the candidates ~~and such agents as may be selected by the candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate~~ *whose names are displayed under rule 11* 1c

(2) Besides candidates, ~~and their agents~~ only voters ~~attendants of voters admitted under rule 22 (vi), and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth~~

27- The candidates ~~and their agents~~ shall not speak to or address any intending voter in the ante room but may only address to the Polling Officer objections to a voter on the following three grounds —

First — That his name is not on the list of voters of the division in respect of which the election is being held

Second — That his claim to be a particular voter shown on the list of voters is false

Third — That he has already voted

1c Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be re admitted during the election

28- The procedure for recording each voter's vote shall be as follows — *the vote shall be given by* 1c

(i) ~~Every voter may vote for as many candidates as there are councillors to be elected for the Division~~

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

1c 1c (iv) The Polling Officer shall dispose of any objections raised by candidates ~~and their agents~~ and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

after forming a ballot paper the voter must seal it

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness or any other cause is ~~physically~~ incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

literacy

1c 29- It shall be the duty of the Polling Officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who

and putting the voting paper into the ballot box

116

~~78~~

have recorded their votes or against whom objections have been heard and disposed of leave immediately. It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects.

38
1111
1111

On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted. The Polling Officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 38.

Determination of Results of Elections

1111

38 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting.

39 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid.

40 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine.

41 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election Government in the case of City Municipalities and the Deputy Commissioner in the case of Town Municipalities shall declare him to have been elected for one such division. In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions. In the event of there being no such candidate in any such division a fresh election shall be held for the same.

39
1111

42 The result of the election shall be declared by the Chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting.

Custody and Destruction of Voting Papers

1111

43 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal shall be kept by the Municipal Council in safe custody.

1111

44 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application

116

17 ~~17~~

20 regarding the election is made to the District Judge under
Section ~~22~~ of the Regulation and such application is not finally
disposed of before the expiry of the said fifteen days then
whenever such application has been finally disposed of the
voting papers including both those in the ballot box and those in
the sealed book in the Polling Officer's custody shall be destroyed
in the presence of such councillor or officer as the Municipal
Council appoints for this purpose

(c
c-c

Report of results of elections

1734 38 ~~38~~ The names of persons declared to have been elected
under Rules ~~34~~ and ~~35~~ shall be communicated with the least
practicable delay to the Government ~~in the case of a city~~
~~Municipality and~~ through the Deputy Commissioner ~~in the case~~
~~of a Town or Municipality~~ for being notified in the *Mysore Gazette*

Casual Vacancies

39 On a vacancy occurring in the Municipal Council between two general elections the Returning Officer shall fix a date as soon as conveniently may be for the holding of an election to fill the vacancy. The above rules shall apply, with such modifications as may be necessary, to such bye elections

~~38~~

18

Form (A)

(Referred to in rule 13)

* Form of application for candidature (Part 13)

Name of constituency for which the candidate intends to stand for election	
Name of candidate	
Father s Name	
Age	
Address	
No of the candidate in the electoral roll	

Date

Signature of the candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess ~~all~~ the qualifications necessary for election to the ~~District Board~~ and that I am not subject to any of the disqualifications specified in the ~~District Boards~~ Regulation or the rules there under to be a candidate

information
common

Date

Signature of candidate

my name 2000

18

4-9

FORM 13

22

(REFERRED TO IN RULE 17)

Counterfoil	Foil			
Voting paper No	Voting paper No			
Voter's number on Election Roll	Serial No	Candidate's name	Candidate's symbol	Voter's mark
	1			
	2			
	3			
	4			
	5			
	6			
	7			
	8			

Voter's signature or thumb impression

(1) The number of members to be elected is

(2) Place a cross mark thus X against each of the candidates of whom wish to vote

(3) The mark should be placed against not more than three names

19

20

ANNEXURE E

Form 1

(Rule 18)

Appendix C
(ref to
rule 14)

No Dated 193

To
The Officer in charge of the Treasury
at

SIR,

*Return
Mee*
*ministry
mun. corp.*
I have the honor to apprise you that I have autho-
rised the ~~Deputy Commissioner~~ of
District to treat the sum of ~~Rs. 100~~ deposited by me in
the Savings Bank at your treasury as security to
Government on behalf of myself/A B I agree that
the same will not be payable to me until I shall pro-
duce to you the express written sanction of the Deputy
Commissioner of District for
payment of the same I have also agreed not to object
to the payment by you of the whole or part of this
deposit to the ~~Deputy Commissioner~~ of
District upon his claiming it and not to make any claim
for interest from the date on which interest has ceased
to accrue owing to the payment of the principal to the
Deputy Commissioner of District or
from the date on which the Deputy Commissioner
District shall have revoked the
authority to your Treasury to pay me/A B the
interest

*ministry for
mun. corp.*

*Return
Mee
min. corp.*

*Return
Mee
min. corp.*

*Return
Mee
min. corp.*

*ministry
return
Mee*

I have the honour to be
Sir
Your most obedient servant

Place (Signature of Depositor)
Date (Designation of Depositor)

NOTIFICATION

No L 1184—VI 86 33 I dated 11th August 1933

In supersession of the rules in force on the subject and in exercise of the powers vested in them by and under the provisions of sections 10 11 204 (2) (b) and 206 of the Mysore Town Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the election of members to municipal councils of town municipalities are made by the Government —

1 In these rules

(1) *cap* the Deputy Commissioner means the Deputy Commissioner of the District in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Town Municipalities Regulation 1933

(3) *cap* turning officer means in respect of the municipality or municipalities entered in the first column of the table given below the person mentioned in the second column of the said table —

Table

<i>Municipality</i>	<i>Returning officer</i>
Town Municipalities having a Chief Officer	Chief Officer of the Municipality
Town Municipalities not having a Chief Officer but having an official president	The president of the municipal council concerned
Every other town municipality	A person appointed by the Deputy Commissioner of the District

Divisions and elective councillors

2 (1) The Deputy Commissioner may in accordance with such instructions if any as may be issued from time to time by the Government in this behalf divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election

(2) The divisions into which the town municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned ~~to~~ to the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may, subject to the orders issued by the Government (alter from time to time the number and boundaries of the divisions and vary the number of councillor to be elected by each division

List of Voters

3 (1) The returning officer shall not less than three months prior to the date on which the term of office of the municipal councillors will expire, prepare a new list of voters

(2) If the municipality has been divided for electoral purposes into divisions such lists shall show the persons entitled to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(a) in Kannada and

(b) if the returning officer so directs, in English also at the municipal office in the taluk office if any within municipal limits and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the returning officer shall by beat of tom tom and printed hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the returning officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the office of the Amildar or the Deputy Amildar of the Taluk within which the municipality is situated

Qualification of Voters

5 The following persons who have completed 21 years of age ~~and who are not subject to any disqualification specified in rule 6 *infra*~~ shall be qualified to have their names entered in the list of voters or in the electoral roll, namely

(A) Every person who for the preceding year was assessed to municipal taxes other than octroi and toll imposed in the municipality amounting to two rupees a year or more

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised, has been resident of the municipality and

(a) who was assessed in the previous year to income tax or

(b) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue of an amount not less than two rupees and eight annas in the municipality or,

(c) who ~~was not~~ for a period of not less than six months previous occupied, for the purpose of dwelling or for purpose of any trade business or profession,

(i) a house or building

(ii) part of a house or building which is separately assessed to a tax of two rupees a year or more or

(d) who is in receipt of a pension of not less than Rs 15 per mensem from Government or from any public body or corporation or Company registered under the Mysore Companies Regulation or

(e) who is an officiating hereditary patel or shanbhog or

(f) who is a graduate of any University or

(g) who is an advocate of the High Court of Mysore, or

(h) who is a pleader holding a sannad from the High Court of Mysore or

(i) upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore

Manner of voting in particular cases

6 | e/ (1) When any qualification prescribed by clause (A) of rule 5 is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which ~~he~~ shall give within a fortnight from the date of the publication of the list of voters to the returning officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the municipal council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3), no person shall be entitled to more than one vote by reason of being qualified under two more of the tests of qualifications prescribed by rule 5

Division in which vote may be given

7 | Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to municipal taxes in the division in which he is assessed

Provided that

- (a) No person shall be entitled to vote in more than one division
- (b) Any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and, failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the municipal council shall determine
- d/-

- (c) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

(1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the returning officer for the amendment thereof

(2) The returning officer shall forthwith forward every such application with his report thereon for the decision of the municipal council

(3) The said officer may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) shall be given by the municipal council receiving the same to any person affected thereby and the municipal council at its next meeting shall consider and pass orders on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Deputy Commissioner from the decision of a municipal council but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant. Every order passed by the Deputy Commissioner under this rule shall be final

Publication and custody of election roll

(1) The list of voters shall be amended in accordance with the decision of the municipal council or the Deputy Commissioner and a copy thereof signed by the returning officer shall be the municipal election roll

(2) The municipal election roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council. The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

The municipal council shall be the prescribed authority for exercising the powers under clauses (b) and (c) of section 11 of the Regulation

8/

copy copy

copy copy

9/ copy copy

roll

Remain by

10/

87

1

and publication

16. (1) Preparation of list of eligible candidates etc

The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in his office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice. He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names. If any name is rejected, the reason for such rejection shall be recorded. A list of such candidates shall be posted up with the symbols, if any assigned under sub rule (2) under his signature in the municipal office.

the mun

(2) Assigning symbols to candidates When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf.

(3) Publication of list of eligible candidates etc A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office.

Display of list of candidates On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling stations for the information of the voters.

Conduct of Election

16/ — 15 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared by the returning officer elected without any votes being recorded. For purposes of rule 16 of these rules such candidates shall be considered to have got the highest number of votes. cap/ cap/ 30/-

17/ — 19 If there are more candidates than there are vacancies, votes shall be taken in accordance with the procedure prescribed in the following rules. 7/-

18/ — 20 The returning officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately. cap/ cap/

19/ — 21 The returning officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary. The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters.

20/ — 22 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers, an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil, one voting paper being provided for each voter in the election roll.

(2) the returning officer may give such special directions as may be necessary for the provision of ballot boxes, cubicles or screens and other matters of detail. cap/ cap/

21/ — 23 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates. 2 L.C. cap/ cap/

22/ — 24 *Omission of names of candidates — If before the poll has commenced, a person whose candidature has been published under sub rule (3) of the Rule ~~withdraws~~ his candidature or dies or if the returning officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the returning officer shall remove the name of such candidate from the voting paper. (25)

23/ — 25 Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences.

~~26~~ (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule ~~31~~

(2) Besides candidates only voters and such persons (if any) as may be admissible under special directions given by the returning officer in this behalf shall be admitted to the polling booth

27 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First — That his name is not on the list of voters of the division in respect of which the election is being held

Second — That his claim to be a particular voter shown on the list of voters is false

Third — That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re admitted during the election

~~28~~ The procedure for recording each voter's vote shall be as follows —

(i) The vote shall be given by ballot

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(iv) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote and after folding and closing the voting paper put it into the ballot box

(vi) If a voter through blindness illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

29 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy; that only such persons as may be admitted to the polling booth under these rules are admitted thereto

75(4)

cup/ cup/

and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately. It shall also be their duty to see that these rules and any special directions given by the returning officer thereunder are strictly observed in all respects.

30 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the returning officer or some one appointed by the said officer to take charge of it till the votes are counted. The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 30.

Determination of results of elections

31 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting.

32 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid.

33 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine.

34 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Deputy Commissioner shall declare him to have been elected for one such division. In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions. In the event of there being no such candidate in any such division a fresh election shall be held for the same.

35 The result of the election shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting.

Custody and destruction of voting papers

36 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody.

37 On the expiry of fifteen days from the date of the declaration of the result of the election, or if any

application regarding the election is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

35/ — 38 The names of persons declared to have been elected under rules 17 and 34 shall be communicated with the least practicable delay to the Government through the Deputy Commissioner for being notified in the *Mysore Gazette*

16/- 32/-

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

diversum/-

Name of ~~constituency~~ for which the candidate intends to stand for election	
Name of candidate	
Father's Name	
Age	
Address	
Number of the candidate in the electoral roll	

Date

Signature of the candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Town Regulation or the rules thereunder to be a candidate

~circulars

Date

Signature of candidate

FORM B

(REFERRED TO IN RULE 22)

Counter-foil

Foil

Voting Paper No.

Voting Paper No.

Voter's number
on Election RollSerial
NoCandidate's
nameCandi-
date's
symbolVoter's
mark

1

2

3

4

5

6

7

8

Voter's signature
or thumb
impression

(1) The number of members to be elected

(2) Place a cross mark thus $\times$ against
the candidateeach of the candidates for whom
you wish to vote(3) The mark should be placed against
not more than name
names

To No Dated 193

The Officer in charge of the Treasury
at "

I have the honour to apprise you that I have authorised the returning officer of municipality to treat the sum of twenty five rupees deposited by me in the Savings Bank at your treasury as security to municipality on behalf of myself/A B I agree that the same will not be payable to me until I shall produce to you the express written sanction of the returning officer of " municipality for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the returning officer of municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the returning officer of municipality or from the date on which the returning officer of municipality shall have revoked the authority to your treasury to pay me/A B the interest

Sir

Your most obedient servant,

(Signature of Depositor)
(Designation of Depositor)

NOTIFICATION

No L 1184—Ml 86 33 1 dated 11th August 1933

In supersession of the rules in force on the subject and in exercise of the powers vested under the provisions of sections 10 11 201 (2) (b) and 206 of the Mysore Town Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the election of members to municipal councils of Town Municipalities are made by the Government —

1 In these rules

(1) The Deputy Commissioner means the Deputy Commissioner of the District in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Town Municipalities Regulation 1933

(3) Returning Officer means in respect of the municipality or municipalities entered in the first column of the table given below the person mentioned in the second column of the said table —

Table

<i>Municipality</i>	<i>Returning Officer</i>
Town Municipalities having a Chief Officer	Chief Officer of the municipality
Town Municipalities not having a Chief Officer but having an official president	The President of the municipal council concerned
Every other Town Municipality	A person appointed by the Deputy Commissioner of the District

a

Divisions and elective councillors

2 (1) The Deputy Commissioner may in accordance with such instructions if any as may be issued from time to time by the Government in this behalf divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election

(2) The divisions into which the town municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned to the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may subject to the orders issued by the Government if any alter from time to time the number and boundaries of the divisions and vary the number of councillors to be elected by each division

List of voters

3 (1) The Returning Officer shall not less than three months prior to the date on which the term of office of the municipal councillors will expire prepare a new list of voters

(2) If the municipality has been divided for electoral purposes into divisions such lists shall show the persons entitled to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(a) in Kannada and

(b) if the Returning Officer so directs in English also at the municipal office in the taluk office if any within municipal limits and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the Returning Officer shall by best of tom tom and printed

hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the Office of the Amildar or the Deputy Amildar of the Taluk within which the municipality is situated

Qualification of voters

5 The following persons who have completed 21 years of age shall be qualified to have their names entered in the list of voters or in the election roll namely —

(A) Every person who for the preceding year was assessed to municipal taxes other than octroi and toll imposed in the municipality amounting to two rupees a year or more

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident of the municipality and

(a) who was assessed in the previous year to income tax or

(b) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue of an amount not less than two rupees and eight annas in the municipality or

(c) who has for a period of not less than six months previous occupied for the purpose of dwelling or for purpose of any trade business or profession

(i) a house or building

(ii) part of a house or building which is separately assessed to a tax of two rupees a year or more or

(d) who is in receipt of a pension of not less than Rs 15 per mensem from Government or from any public body or corporation or company registered under the Mysore Companies Regulation or

(e) who is an officiating hereditary patel or shanbhog or

(f) who is a graduate of any University or

(g) who is an advocate of the High Court of Mysore or

(h) who is a pleader holding a sannad from the High Court of Mysore or

(i) upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (A) of rule 5 is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the municipal council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3), no person shall be entitled to more than one vote by reason of being qualified under two ~~more~~ of the test of qualifications prescribed by rule 5 *22*

Division in which vote may be given

7 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to municipal taxes in the division in which he is assessed

Provided that

- (a) no person shall be entitled to vote in more than one division
- (b) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the municipal council shall determine
- (c) a person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the municipal council

(3) The said officer may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to

be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) shall be given by the municipal council receiving the same to any person affected thereby and the municipal council at its next meeting shall consider and pass orders on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Deputy Commissioner from the decision of a municipal council but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant. Every order passed by the Deputy Commissioner under this rule shall be final

Publication and custody of election roll

9 (1) The list of voters shall be amended in accordance with the decision of the municipal council or the Deputy Commissioner and a copy thereof signed by the Returning Officer shall be the municipal election roll

rule (2) The municipal election roll shall be published in the manner prescribed in ~~sub~~ 4 within a month and a half from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council. The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

10 The municipal council shall be the prescribed authority for exercising the powers under clauses (b) and (c) of section 11 of the Regulation

Qualifications of candidates

11 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub sections (3) and (6) of section 20 of the Regulation every person who is qualified to be a voter under rule 5 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place of elections

12 All municipal elections—whether general or casual—shall be held on such dates between such hours and at such place or places as may be fixed by the Returning Officer. Written notice of such election shall be given and published in Kannada and if the said officer so directs in English also not less than one month before the date fixed for election. Copies of the notice shall be affixed at the municipal office and at such other conspicuous place or places within the municipality as the municipal council fixes for this purpose

Applications from candidates

13 Every person who wishes to stand for election in any division shall at least fifteen days before the date fixed for the date of election signify his intention by applying in writing to the Returning Officer in the Form A hereto appended

Deposits by candidates

14 (1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of twenty five rupees in cash and forward the treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank Deposits or State Loan Bonds of equal value at the market rate of the day shall if tendered be accepted from candidates standing for election in lieu of cash deposit. Provided that Form No 1 of Annexure E of the Savings Bank Rules (printed as Appendix C) is signed by them authorising the Returning Officer to treat the same as deposit in the former case and the bonds

are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer before the poll has commenced. A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal.

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) *and before 3 p.m. of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the Returning Officer the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit, if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person.

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the desposit shall be forfeited and credited to the municipal fund.

Explanation—For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of voting papers other than spoilt voting papers collected.

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected, shall be returned to the candidate or to the person who has made the deposit on his behalf or to his legal representative as the case may be as soon as may be after the publication of the result of the election in the *Mysore Gazette* provided that if a candidate has stood for election in more than two divisions not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the municipal fund.

*Preparation and publication of list of eligible
candidates etc*

15 (1) The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the Municipal office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice. He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names. If any name is rejected, the reason for such rejection shall be recorded. A list of such candidates shall be posted up with the symbols if any assigned under sub rule (2) under his signature in the municipal office.

(2) When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf.

(3) A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office.

(4) On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling stations for the information of the voters.

Conduct of Elections

16 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared by the Returning Officer elected without any votes being recorded. For purposes of rule 30 of these rules such candidates shall be considered to have got the highest number of votes.

17 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules.

18 The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

19 The Returning Officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary. The said officer shall also appoint one or more identifying officer at each polling station to assist the polling officer in identifying the voters

20 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper being provided for each voter in the election roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

21 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

(2) Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

Omission of names of candidates

22 If before the poll has commenced a person whose candidature has been published under sub rule (3) of the rule 15 withdraws his candidature or dies or if the Returning Officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Returning Officer shall remove the name of such candidate from the voting paper

23 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule 15 (4)

(2) Besides candidates only voters and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

24 The candidates shall not speak to or address any intending voter in the ante room but may only address

the polling officer objections to a voter on the following three grounds —

First — That his name is not on the list of voters of the division in respect of which the election is being held

Second — That his claim to be a particular voter shown on the list of voters is false

Third — That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re-admitted during the election

25 The procedure for recording each voter's vote shall be as follows —

- (i) The vote shall be given by ballot
- (ii) There shall be no voting by proxy
- (iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them
- (iv) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of the foil and counterfoil with a seal give the foil to the voter and admit him to the polling room
- (v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote and after folding and closing the voting paper put it into the ballot box
- (vi) If a voter through blindness illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

26 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

27 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The polling officer shall seal up the book of counterfoils and unused foil and keep it sealed in his own custody till it is destroyed under rule 34

Determination of results of elections

28 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting

29 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

30 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine

31 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

32 The result of the election shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

33 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody

34 On the expiry of fifteen days from the date of a declaration of the result of the election or if any application regarding the election is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

35 The names of persons declared to have been elected under rules 16 and 32 shall be communicated with the least practicable delay to the Government through the Deputy Commissioner for being notified in the *Mysore Gazette*

H V RAMASVAMI
General Secretary to Government

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

Name of division for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the electoral roll	

Date

Signature of candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Town Municipalities Regulation or the rules thereunder to be a candidate

Date

Signature of candidate

FORM B

(REFERRED TO IN RULE 21)

Counterfoil	Foil			
Voting Paper No	Voting Paper No			
Voter s number on Election Roll	Serial No	Candidate s name	Candi date s symbol	Voter s mark
	1			
	2			
	3			
	4			
	5			
	6			
	7			
	8			

(1) The number of members to be elected
 is [

(2) Place a cross mark thus x against
 the candidate
 each of the candidates for whom
 you wish to vote

(3) The mark should be placed against
 not more than name
 names

APPENDIX C
(REFERRED TO IN RULE 14)

No _____ Dated .. 193 ,

To
, The Officer in charge of the Treasury
at

SIR

I have the honour to apprise you that I have authorised the Returning Officer of _____ municipality to treat the sum of twenty five rupees deposited by me in the Savings Bank at your treasury as security to the municipality on behalf of myself / A B I agree that the same will not be payable to me until I shall produce to you the express written sanction of the Returning Officer of _____ municipality for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the Returning Officer of _____ municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the Returning Officer of _____ municipality or from the date on which the Returning Officer of _____ municipality shall have revoked the authority to your treasury to pay me / A B the interest

I have the honour to be

Sir

Your most obedient servant

Place _____ (Signature of Depositor)

Date _____ (Designation of Depositor)

L 1403 dated 23, 8/33 Errata

The following corrections shall be made in the
Tamil version of the Election Rules passed
under notification no. L 1184 of 7/8/33
published in Part IV of the Mysore Gazette dated 7/8/33
Errata

Page 508 Rule 5(A) 2nd line In the word, and read

Page 509 - Rule 6(4) 3rd line. Insert the word
"or" after the word
"two"

Page 510 - Rule 9(2) 2nd line For "roll", read rule

Page 512 - Rule 14(4) 6th line In "deposit", read dep

do - Rule 14(5) 7th line omit the comma
after the

Page 514 omit the heading is omission of
name of candidates

Page 516 Rule 27 5th line In Polling read polling

Page 518 6th column of the
Form In electoral roll read
election roll

do on the 5th line of the declaration
add "1933" after
repetition

Order

Am
18/9

For (signature)

20 The Campy Mysore Gazette, for (signature)
In Part IV of the Gazette with the
request that 20 copies may be printed & bound,
along with the rules be supplied to
the various

Issued
on
22/8/33

NOTIFICATION

No L 1184—Ml 86 33 1 dated 11th August 1933

In supersession of the rule in force on the subject and in exercise of the powers vested in them by and under the provisions of sections 10 11 204 (2) (b) and 206 of the Mysore Town Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the election of members to municipal councils of town municipalities are made by the Government —

1 In these rules

(1) the Deputy Commissioner means the Deputy Commissioner of the District in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Town Municipalities Regulation 1933

(3) Returning officer means in respect of the municipality or municipalities entered in the first column of the table given below the person mentioned in the second column of the said table —

Table

<i>Municipality</i>	<i>Returning officer</i>
Town Municipalities having a Chief Officer	Chief Officer of the Municipality
Town Municipalities not having a Chief Officer but having an official president	The president of the municipal council concerned
Every other town municipality	A person appointed by the Deputy Commissioner of the District.

Divisions and elective councillors

2 (1) The Deputy Commissioner may in accordance with such instructions if any as may be issued from time to time by the Government in this behalf divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election

(2) The divisions into which the town municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned over the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may subject to the orders issued by the Government alter from time to time the number and boundaries of the divisions and vary the number of councillors to be elected by each division

List of Voters

3 (1) The returning officer shall not less than three months prior to the date on which the term of office of the municipal councillors will expire, prepare a new list of voters

(2) If the municipality has been divided for electoral purposes into divisions such lists shall show the persons entitled to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(a) in Kannada and

(b) if the returning officer so directs in English also at the municipal office in the taluk office if any within municipal limits and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the returning officer shall by beat of tom tom and printed hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the returning officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the office of the Amildar or the Deputy Amildar of the Taluk within which the municipality is situated

Qualification of Voters

5 The following persons who have completed 21 years of age and who are not subject to any disqualification specified in rule 6 *infra* shall be qualified to have their names entered in the list of voters or in the electoral roll, namely

(A) Every person who, for the preceding year was assessed to municipal taxes other than octroi and toll, imposed in the municipality amounting to two rupees a year or more

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised, has been resident of the municipality and

(a) who was assessed in the previous year to income tax or

(b) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue of an amount not less than two rupees and eight annas in the municipality, or

(c) who was not for a period of not less than six months previous occupied for the purpose of dwelling or for purposes of any trade business or profession

(i) a house or building

(ii) part of a house or building which is separately assessed to a tax of two rupees a year or more or

(d) who is in receipt of a pension of not less than Rs. 10 per annum from Government or from any public body or corporation or Company registered under the Mysore Companies Regulation, or

(e) who is an officiating hereditary patel or shinde or

(f) who is a graduate of any University or

(g) who is an advocate of the High Court of Mysore,

or

(h) who is a pleader holding a sannad from the High Court of Mysore or

(i) upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore

Manner of voting in particular cases

7 (1) When any qualification prescribed by clause (A) of rule 5 is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land than the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the returning officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the municipal council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two more of the tests of qualifications prescribed by rule 5

Division in which vote may be given

8 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to municipal taxes in the division in which he is assessed

Provided that

(a) No person shall be entitled to vote in more than one division

(b) Any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the municipal council shall determine

- (c) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

9 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the returning officer for the amendment thereof

(2) The returning officer shall forthwith forward every such application with his report thereon for the decision of the municipal council

(3) The said officer may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) shall be given by the municipal council receiving the same to any person affected thereby and the municipal council at its next meeting shall consider and pass orders on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Deputy Commissioner from the decision of a municipal council but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant. Every order passed by the Deputy Commissioner under this rule shall be final

Publication and custody of election roll

10 (1) The list of voters shall be amended in accordance with the decision of the municipal council or the Deputy Commissioner and a copy thereof signed by the returning officer shall be the municipal election roll

(2) The municipal election roll shall be published in the manner prescribed in rule 4 *within a month and a half* from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council. The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

11 The municipal council shall be the prescribed authority for exercising the powers under clauses (b) and (c) of section 11 of the Regulation

Qualifications of candidates

12 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub sections (3) and (6) of section 20 of the Regulation every person who is qualified to be a voter under rule 5 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place of elections

13 All municipal elections—whether general or casual—shall be held on such dates between such hours and at such place or places as may be fixed by the returning officer. Written notice of such election shall be given and published in Kannada and if the said officer so directs in English also not less than one month before the date fixed for election. Copies of the notice shall be affixed at the municipal office and at such other conspicuous place or places within the municipality as the municipal council fixes for this purpose

Applications from candidates

14 Every person who wishes to stand for election in any division shall at least fifteen days before the date fixed for the date of election signify his intention by applying in writing to the returning officer in the form (A) hereto appended

Deposits by candidates

15 (1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of twenty five rupees in cash and forward the treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank Deposits or State Loan Bonds of equal value at the market rate of the day shall if tendered be accepted from candidates standing for election in lieu of cash deposit Provided that Form No 1 of Annexure E of the Savings Bank Rules (printed as Appendix C) is signed by them authorising the returning officer to treat the same as deposit in the former case and the bonds are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the returning officer before the poll has commenced A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) *and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the returning officer the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the deposit shall be forfeited and credited to the municipal fund

Explanation —For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of voting papers other than spoilt voting papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf or to his legal representative as the case may be as soon as may be after the publication of the result of the election in the *Mysore Gazette* provided that if a candidate has stood for election in more than two divisions not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the municipal fund

16 (1) *Preparation of list of eligible candidates —

†The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in his office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice. He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names. If any name is rejected the reason for such rejection shall be recorded. A list of such candidates shall be posted up with the symbols if any assigned under sub rule (2) under his signature in the municipal office.

(2) *Assigning symbols to candidates —* When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf.

(3) *Publication of list of eligible candidates etc —* A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office.

17 *Display of list of candidates —* On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling stations for the information of the voters.

Conduct of Elections

18 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared by the returning officer elected without any votes being recorded For purposes of rule 33 of these rules such candidates shall be considered to have got the highest number of votes

19 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules

20 The returning officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

1 The returning officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters

22 (1) On the morning of the election day, the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper being provided for each voter in the election roll

(2) the returning officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

23 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

24 * *Omission of names of candidates* — If before the poll has commenced a person whose candidature has been published under sub rule (3) of the Rule † withdraws his candidature or dies or if the returning officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the returning officer shall remove the name of such candidate from the voting paper

25 Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hour before the election commences

26 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule 11

(2) Besides candidates only voters and such persons (if any) as may be admissible under special directions given by the returning officer in this behalf shall be admitted to the polling booth

27 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First — That his name is not on the list of voters of the division in respect of which the election is being held

Second — That his claim to be a particular voter shown on the list of voters is false

Third — That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re-admitted during the election

28 The procedure for recording each voter's vote shall be as follows —

(i) The vote shall be given by ballot

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(iv) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote and after folding and closing the voting paper put it into the ballot box

(vi) If a voter through blindness illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

29 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy; that only such persons as may be admitted to the polling booth under these rules are admitted thereto,

and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately. It shall also be their duty to see that these rules and any special directions given by the returning officer thereunder are strictly observed in all respects.

30 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the returning officer or some one appointed by the said officer to take charge of it till the votes are counted. The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 36.

Determination of results of elections

31 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting.

32 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid.

33 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine.

34 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Deputy Commissioner shall declare him to have been elected for one such division. In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions. In the event of there being no such candidate in any such division a fresh election shall be held for the same.

35 The result of the election shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting.

Custody and destruction of voting papers

36 When the voting papers have been scrutinised, they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody.

37 On the expiry of fifteen days from the date of the declaration of the result of the election or if any

application regarding the election is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

38 The names of persons declared to have been elected under rules 17 and 34 shall be communicated with the least practicable delay to the Government through the Deputy Commissioner for being notified in the *Mysore Gazette*

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

Name of constituency for which the candidate intends to stand for election	
Name of candidate	
Father's Name	
Age	
Address	
Number of the candidate in the electoral roll	

Date

Signature of the candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Town Regulation or the rules thereunder to be a candidate

Date

Signature of candidate

FORM B

(REFERRED TO IN RULE 22)

Counterfoil

Foil

Voting Paper No

Voting Paper No

Voter's number
on Election RollSerial
NoCandidate's
nameCandi-
date's
symbolVoter's
mark

1

2

3

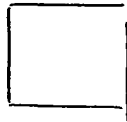
4

5

6

7

8

Voter's signature
or thumb
impression

(1) The number of members to be elected

is

(2) Place a cross mark thus x against
the candidate
each of the candidates for whom
you wish to vote(3) The mark should be placed against
not more than name
names

To No Dated 193

The Officer in charge of the Treasury
at "

I have the honour to apprise you that I have authorised the returning officer of the municipality to treat the sum of twenty five rupees deposited by me in the Savings Bank at your treasury as security to municipality on behalf of myself/A B I agree that the same will not be payable to me until I shall produce to you the express written sanction of the returning officer of the municipality for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the returning officer of the municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the returning officer of the municipality or from the date on which the returning officer of the municipality shall have revoked the authority to your treasury to pay me/A B the interest

Sir

Place (Signature of Depositor)
Date (Designation of Depositor)

*No L 1403—Ml 86 33 dated Bangalore
23rd August 1933*

ERRATA

The following corrections shall be made in the Town Municipalities Election Rules published under Notification No L 1184—Ml 86 33 1 dated the 11th August 1933 published in Part IV of the *Mysore Gazette* dated the 17th August 1933 —

Page 508 Rule 5 (A) 2nd line—*For* and *r ad*
or

Page 509 Rule 6 (4) 3rd line—*Insert* the word
or *after* the word two

Page 510 Rule 9 (2) 2nd line—*For* roll *read*
rule

Page 512 Rule 14 (4) 6th line—*For* desposit
read deposit

Page 512 Rule 14 (5) 7th line—*Omit* the comma
after the word be

Page 514 *omit* the heading *viz* Omission of
names of candidates

Page 516 Rule 2 5th line—*For* Poling *read*
polling

Page 518 6th column of the form—*For* electoral
roll *read* election roll

Page 518 --In the fifth line of the declaration *add*
1933 *after* Regulation

By Order
H V RAMASWAMI
*Secretary to Government
General Department*

Dated Kolar the 30th August 1933

I l l f t p d
p l q t t h
N A E - C 325/33-34
E l

FROM

T G Rama Iyer, Esq , B A ,

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Deputy Commissioner

Kolar District

GENERAL SECRETARY
2-SEP-1933
No. 159
SIR
I have

H V Ramaswami, Esq, M A , B L ,
SECRETARY TO GOVERNMENT OF MISOORE
General Department

Bangalore

I have the honour to bring to the notice of Government that Rule 12 (3) of the Old Rules regulating the conduct of Municipal elections in Town and City Councils published with Government Notification No L 6435/L1 165-26-2 dated 15-3-27 provided for one and the same person standing for election in all or any number of the divisions in a town

This rule corresponds with Rule 11 (2) of the new Rules published with Notification No L 1184/M1 86-33-1 dated 11-8-1933, which seems to give a choice to any person to stand for one of the Divisions of the locality

But on reading the proviso to Rule 14 (5) of the New Rules which contemplates that one and the same person may stand as a candidate in several divisions at the same time, Rule 14 (5) seems to conflict with Rule 11 (2)

I request you to be so good as to communicate the orders of Government whether Rule 11 (2) may be taken to mean that one and the same person may be a candidate for any number of divisions In that case I have to state that this Rule requires slight modification

The Chickballapur Town Council has to be reconstituted with effect from 1-1-1934 Election proceedings have to be taken from now In order that no complications arise in the election proceedings, I solicit the favour of early orders of Government in the matter

I have the honour to be,
Sir,
Your most obedient servant.

Deputy Commissioner,
Kolar District

A 7 2
30833

22

mean that he is ~~from~~ ^{us} ~~not~~ ^{us} ~~prohibites~~ ~~him~~ ~~to~~ ~~stand~~ ~~for~~
election in more than one
division at the same time This is also clear
The rule is thus an enabling
~~and not a disabling provision~~
I am further to add that
That a candidate can stand
for election in more than
one division is ~~implied~~ ^{also clear}
from ~~the~~ rule 14 (5) & rule 31
of the ~~2nd~~ ^{1st} Election Rules and
and there is no need to have
an express rule on the point
for this reason There is no
inconsistency between ~~rule 14 (5)~~ ^{rule 11 (2)}
and ~~rule 14 (5) is 31~~ ^{any of the said rules} For these reasons
no amendment ~~is proposed~~ ^{that} of rule 11 (2)
is necessary

I have checked

UPM

for 7/9 ~~for~~ ^{Parent seg 5/9} -
L 1849-55 of 9

copy to Mr Dyan? & other 25 for
information

130
M. J. Jorg

